

O I P E **Attorney Docket No. 459799-1**

PATENT

OCT 06 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent & Trademark Office
here patent application of Jon C. Gehrke

Serial No.: 10/038,240

Group Art Unit: 3764

Filed: October 19, 2001

Examiner: Pham, Huong Q.

Entitled: **APPENDAGE ELEVATOR SYSTEM**

Mail Stop Non-fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

#44/12
JF
210-04
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TECHNOLOGY CENTER R3700

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Sir:

Applicant acknowledges receipt of the Office Action mailed August 27, 2003. Applicant notes that an earlier Office Action was received from the Examiner on August 8, 2003.

However, in a telephone message from the Examiner on September 17, 2003, Applicant was instructed that a response should be prepared for the August 27, 2003 Office Action. A check in the amount of \$129.00 for three additional independent claims is enclosed herewith. Applicant believes that no further fees are due in connection with this response. However, in the event a discrepancy exists between the amount enclosed and the Patent and Trademark Office fees, please charge or credit any difference to the undersigned's Deposit Account No. 502498, referencing client/matter number 459799-1.

In response the Office Action of August 27, 2003, please amend the above-identified application as follows:

- **Amendments to the Specification** are reflected on page 2 of this paper.
- **Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.
- **Remarks / Arguments** begin on page 14 of this paper.

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

10/09/2003 EFLDRES 00000074 10038240

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By *Jason S. Gehrke*